

NOV 13 2006

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DATE: November 13, 2006**To:**

NAME	COMPANY	FAX No.	PHONE No.
Commissioner for Patents	USPTO	571-273-8300	

FROM: Thomas E. Hilbun

SENDER INFORMATION (NAME / USER ID / EXTENSION): / /

FILE No.: JMCV 1042212 **NUMBER OF PAGES, INCLUDING COVER:** 4

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- a. Response to Notice of Non-Compliant Amendment dated 11/07/06; and
- c. Transmittal Form

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PTO/SB/21 (09-04)

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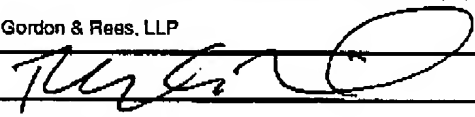
Total Number of Pages in This Submission

Application Number	10672,516
Filing Date	09/29/2003
First Named Inventor	McVay
Art Unit	3714
Examiner Name	harper, Tramar
Attorney Docket Number	MJMCV 1042212

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
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<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks Response to Notice of Non-Compliant Amendment		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Gordon & Rees, LLP		
Signature			
Printed name	Thomas E. Hilburn		
Date	Nov. 13, 2006	Reg. No.	56,546

CERTIFICATE OF TRANSMISSION/MAILING

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Signature			
Typed or printed name	Pat Milfeld	Date	Nov. 13, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Julian Clyde McVay

Serial No.: 10/672,516

Filed: September 29, 2003

For: Consonant Pain

Customer No.:

Confirmation No.:

Group Art Unit: 3714

Examiner: Tramar Harper

Docket No.: JMCV 1042212

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Pat Millfeld

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Mail Stop AMENDMENT

Commissioner for Patents

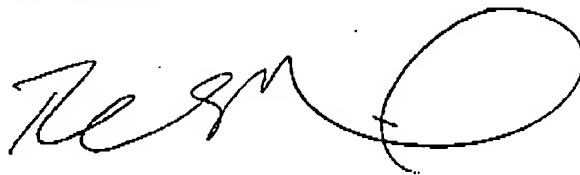
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Responsive to the Notice of Non-Compliant Amendment of November 7, 2006, please
accept the corrected amendment to the above-identified application:

Amendments to the Claims are on pages 2 of this paper.

Respectfully Submitted,



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Attorney for Applicant
Registration No. 56,546

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